

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
WILLIAM R. FLETCHER : CHAPTER 13
Debtor. :

M&T BANK :
Movant, :
:
vs. :
WILLIAM R. FLETCHER : CASE NO. 5-18-04165
Respondent. :

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362**

AND NOW COMES, William Fletcher, the Debtor, and files an Answer to M&T Bank's Motion for Relief From the Automatic Stay:

1. William Fletcher (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Movant alleges that Debtor has failed to make post-petition mortgage payments.
3. Debtor's Counsel is in the process of contacting the Debtor to find out if payments have been made and/or if Debtor is in possession of funds needed to cure the alleged default.
4. In the event there remains an arrears, the Debtor wishes to enter into a Stipulation to include the payments in an amended Plan and/or over a six (6) month period.
5. Movant is not entitled to relief from the automatic stay as the arrearage amount due has been paid or shall be paid through the sale of property, the Chapter 13 Plan, and/or a six (6) month Stipulation, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: September 23, 2019

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID# 59887
381 N. 9th Avenue
Scranton, PA 18504
(570) 347-7764

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
WILLIAM R. FLETCHER : CHAPTER 13
Debtor. :

M&T BANK :
Movant, :
:
vs. :
WILLIAM R. FLETCHER : CASE NO. 5-18-04165
Respondent. :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 23, 2019, he caused a true and correct copy of Debtor's Answer to M&T Bank's Motion for Relief from the Automatic Stay to be served Via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

Christopher M. McMonagle, Esq. at cmcmonagle@sterneisenberg.com

Dated: September 23, 2019

/s/Tullio DeLuca
Tullio DeLuca, Esquire